

1 PUBLIC HEARING
2 SUNSHINE CANYON LANDFILL
3 CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
4

5 RE:)
6)
7 FOR THE CONSOLIDATION OF)
8 PROPOSED ACTION FOR A NEW)
9 SOLID WASTE FACILITIES PERMIT)
10 _____)
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15 TRANSCRIPT OF PROCEEDINGS
16 Granada Hills, California
17 Tuesday, March 25, 2008
18
19

20 Reported by:
21 ANABELE M. MONTGOMERY
22 CSR No. 13231

23 Job No.:
24 A8170NCO
25

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15 TRANSCRIPT OF PROCEEDINGS, taken at

16 Van Gogh Elementary School,

17 17160 Van Gogh Street, Granada Hills,

18 California, commencing at 6:35 p.m., on Tuesday,

19 March 25, 2008, reported by ANABELE M. MONTGOMERY,

20 CSR No. 13231, a Certified Shorthand Reporter in

21 and for the State of California.

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1 APPEARANCES:

2 For the CALIFORNIA SUSAN MARKIE
3 INTEGRATED WASTE MARK DE BIE
MANAGEMENT BOARD: MICHAEL BLEDSOE

4

5 Also Present: RAFAEL M. GARCIA
RALPH KROY
6 MIKE MOHAJER
NICOLE BERNSON
7 KEITH PRITSKER
WAYNE TSUDA
8 IRIS AGUIRRE
BEN PEDRICK
9 MARY EDWARDS
HANK FELDMANN
10 WAYDE HUNTER
ED YOU
11 VIKI KIND
ALLEN HECHT
12 BERNARD FEINSTEIN
ANNE ZILIAK
13 JIM SUMMERS
HARVEY ABRAM
14 KIM THOMPSON
BECKY BENDIKSON
15 DAVE PARIKH
CHERIE MANN
16 MEMBERS OF THE PUBLIC

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1 Granada Hills, California, Tuesday, March 25, 2008

2 6:35 p.m.

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5 MS. MARKIE: Hello, everyone. Good evening and
6 welcome. If you could go ahead and find a seat, that
7 would be great. It's about 6:35, so we'll get started
8 real soon. I can go over some housekeeping things while
9 we're waiting for everyone to have a seat.

10 My name is Susan Markie, and I work for the
11 California Integrated Waste Management Board as the
12 Permit South Manager within the Permitting & Local
13 Enforcement Agency Support Division.

14 During this meeting I will refer to my agency as
15 the "Board." Other Board staff here tonight are Mark De
16 Bie, who is the Division Chief with the same division as
17 I, and Michael Bledsoe, who is an attorney with our legal
18 office. Can everyone hear me now?

19 We have a sign-up sheet in the back of the room.
20 If you would like to sign-in, please do so. If you want
21 to make sure you get on our mailing list, then please do
22 sign-in because we'll use that to notify you with
23 additional information later on. For those of you who
24 will be providing comments this evening, we have speaker
25 slips in the back. Please fill one out and give it to

1 one of the Board employees with nametags, and if the
2 Board employees will raise their hands, we have one in
3 the back there and I think two still in the entryway, but
4 you can hand them in at any time during the presentation.
5 We'll do a PowerPoint presentation and we'll have the
6 comment period after that.

7 Depending on the number of speakers, there may
8 be a need to limit the time for each person intending to
9 speak, but what we'll do is we'll count them up and
10 determine how much time is left because we'd like
11 everyone to be able to have time to give us their
12 comments. Restrooms are located in the entryway, and, if
13 you could, please turn off your cell phones or put it on
14 manner mode. The questions and comments will be at the
15 end of this presentation, and I can go back to any slide
16 that you may need me to.

17 Tonight's presentation is for a public
18 informational meeting to provide information on the
19 consolidation of a proposed action for a new Solid Waste
20 Facilities Permit for the Sunshine Canyon Landfill. I
21 will use the term "Landfill" to mean the Sunshine Canyon
22 Landfill for this presentation.

23 The purpose of this meeting is to provide the
24 public, especially those of you living in the vicinity of
25 the Landfill, with an opportunity to ask questions and to

1 provide comments, an overview of the role of the Board,
2 an overview of the solid waste facility permitting
3 process, a summary of proposed changes at the Landfill,
4 and to fulfill the public hearing requirement per State
5 law for new permits.

6 Under State law, the Board is to certify Local
7 Enforcement Agencies. I'll refer to Local Enforcement
8 Agencies as "LEAs" during this presentation. The Board
9 is to act in the capacity of the Solid Waste Enforcement
10 Agency -- that's a different term; I'll use "EA" for
11 that -- for a combined Landfill due to the two separate
12 LEA jurisdictions: the City and County of Los Angeles.
13 The Board will serve as the EA for Sunshine Canyon
14 Landfill only.

15 The City and County LEAs are working on a Joint
16 Powers Authority called a "JPA" to designate a single
17 LEA. Until designated and certified, the Board will act
18 as the EA in lieu of an LEA. The Board fully supports
19 the efforts of the City and County LEAs to establish the
20 JPA. The Board has sought LEA comments in reviewing the
21 permit application, and both LEAs have provided comments.
22 The Board has offered to negotiate with the LEAs to
23 arrange for continued inspection coverage on behalf of
24 the Board as EA. Once the JPA is formed and a single LEA
25 is designated, the Board will expedite review and

1 approval for the responsibility to return to the local
2 governing authorities.

3 Board staff received a draft partial Enforcement
4 Program Plan, called an "EPP," from the City and County
5 LEA to address the JPA. Board staff provided comments on
6 the draft EPP on January 25, 2008, and February 1, 2008,
7 and we will continue to work with them to finalize the
8 document. The Board currently serves as the EA in five
9 jurisdictions: The Counties of Santa Cruz, San Luis
10 Obispo, and Stanislaus; and the Cities of Berkeley and
11 Stockton.

12 Currently, duties are conducted by eight Board
13 staff. As with any LEA program, the Board acting as EA
14 holds the same responsibilities. We are required to
15 process and issue permits, inspect facilities, and carry
16 out Enforcement Actions. Solid Waste Facilities Permits
17 are required by State law for the operation of a solid
18 waste Landfill. A permit is issued to the facility
19 operator, the design and operation is only as authorized
20 in the permit, the permit cannot contain conditions
21 pertaining solely to air or water quality, and
22 significant changes are authorized only through permit
23 revisions.

24 The Proposed Permit Action for this project is
25 to consolidate the two current City and County permits

1 under one permit. This will allow the Landfill to infill
2 the areas between the existing footprints consistent with
3 previously described and approved boundaries and limits.

4 We have a slide up there. It's an infill slide
5 where you can see the -- I guess I can use my pointer --
6 you can see that this is the County side and the boundary
7 of the City current fill. This boundary up here that's
8 green, you can't see it so well, but there is a green
9 line, and that would be the new footprint. We did a
10 little just so you could see what it would eventually
11 look like with the infill. This isn't in the sequential
12 order that it will occur.

13 There will be a change in maximum final
14 elevation up to 2,004 feet above mean sea level. This
15 allows for a 174-foot increase on the City side from
16 1,830. This includes the final cover. The County side
17 will stay at 1,904 with no change. Basically, that's
18 where the 2,004 will be, on that top, in there.

19 The new proposed estimated closure year will be
20 2037. The current Solid Waste Facilities Permit for the
21 City Landfill describes a Phase I closure only for
22 completion in the year 2010. The County Landfill permit
23 did not estimate a closure year for the combined site.
24 These estimations are based on current calculated volume
25 remaining (capacity) and estimated amount of waste

1 received per day.

2 The two current City and County permits list
3 disposal and total acreage that will not change with the
4 consolidation. The numbers will be combined into the new
5 permit, with 367 disposal acreage and 1,036 total
6 acreage.

7 There will be a new realigned entrance road,
8 scale facility and other ancillary facilities. There
9 will be changes in the fill sequencing plan. Basically,
10 we have the fill sequencing plan where you can see the
11 rows -- one, two, three, four, five. So there would be
12 Phase I, which is currently allowed and under
13 construction per previous approvals that began in July,
14 2007; Phase II, III, IV, and V. This slide is just
15 indicating final closure contours. The new permit will
16 result in the consolidation of the two existing working
17 faces into one and the combining of the current daily
18 inflow of waste from the two Landfills.

19 As you can see from the slide, the current
20 permit tonnage numbers for the two permits will be
21 consolidated into the new permit with no increase in
22 tonnage. The new permit will show a total of 12,100 tons
23 per day and 66,000 tons per week. Additionally, the
24 combining of the current inflow of inert/beneficial use
25 materials from the the two Landfills will occur,

1 resulting in no increase in tonnage.

2 Currently, a proposed new permit is being
3 drafted. This draft will be shared with both City and
4 County LEAs for their input. The City and County LEAs,
5 the Regional Water Quality Control Board, and the Los
6 Angeles County Department of Public Works have provided
7 comments on the permit application package thus far. The
8 applicant has addressed and responded to these comments.
9 They're currently working with all these agencies to make
10 sure all their concerns are addressed.

11 The following findings will be required prior to
12 bringing this proposed permit to the Board: documentation
13 of the status of applicant's Waste Discharge
14 Requirements; a summary of comments received at this
15 meeting; a finding that the proposed permit is consistent
16 with and is supported by existing California
17 Environmental Quality Act (CEQA) analysis; a finding that
18 the facility is identified and described in or conforms
19 with the County Solid Waste Management Plan, the
20 preliminary closure/postclosure maintenance plan is
21 consistent with closure and postclosure maintenance State
22 minimum standards; current documentation of an acceptable
23 funding level for financial assurances; current
24 documentation of compliance with operating liability
25 requirements; and a State inspection will be conducted to

1 determine if the facility is operating consistent with
2 State minimum standards.

3 Over the last several years, Board staff has
4 been involved in past permit actions for the two
5 Landfills. We will take this experience forward with the
6 continued review of all submitted documents and the
7 drafting of the proposed new permit.

8 Existing CEQA documentation includes a Final
9 Environmental Impact Report which was filed with State
10 Clearinghouse and certified by the County of Los Angeles,
11 Board of Supervisors in November 1993. A Final
12 Subsequent Environmental Impact Report was also filed and
13 certified by the City of Los Angeles Planning Commission
14 and the city council in December 1999. An addendum to
15 both of these documents was also prepared for the project
16 by the County of Los Angeles Department of Regional
17 Planning and circulated in October of 2004.

18 The permit is proposed to be heard at a special
19 locally held Permitting and Compliance Committee meeting
20 at the City of San Fernando City Council Chambers on
21 Thursday, June 12, 2008, and a Board meeting in
22 Sacramento on Tuesday, June 17, 2008. This information
23 will all be posted at least 10 days prior to the meeting
24 date at our web site, and that information is on the
25 agenda.

1 Board meetings are held monthly. They're open
2 to the public. All can speak. There are six seats,
3 although currently we have five members with one vacant
4 seat. Board members must concur or object to the permit
5 within 60 days after the EA submits the permit. The
6 reason why the Board may object is that the permit is not
7 consistent with State minimum standards, for example,
8 design or operation, financial assurances for operating
9 liability are inadequate, and financial ability to
10 provide for closure/postclosure is inadequate.

11 Our next steps are to continue to work with the
12 City and County LEAs and other governing agencies to
13 complete the Joint Power Authority process and to
14 continue to work cooperatively on the permitting process.
15 Information, as it becomes available, will be posted on
16 the Board's web site. We have a specific web site just
17 for Sunshine Canyon, and, again, it is on the agenda. My
18 contact information is all there, too.

19 Okay. Now we will have our public comment
20 period, and we are here to listen to your concerns and
21 questions regarding the proposed new permit and the
22 changes that I've discussed. Please keep your comments
23 related to this permitting action, as comments will be
24 considered as possible conditions in the new permit. The
25 permit will incorporate the most stringent appropriate

1 conditions.

2 Has everyone intending to speak filled out a
3 speaker slip? And as you decide to speak after we've
4 started, you can just fill one in at any time. I'll just
5 take a minute to tally up how many folks want to speak.

6 We have 18 speakers. It's just 7:00 now, so
7 we'll give five minutes per speaker, if that will work
8 for everyone. In the interest of time, if you want to
9 State if you agree with the comment that was previously
10 stated, you can do so. Now I'll go ahead and call people
11 up.

12 If you could, speak slowly so the court reporter
13 can get all of your comments. This will all be loaded up
14 on our web site as soon as we can. Okay. The first two
15 up will be Ralph Roy and Mike Mohajer.

16 MR. KROY: Hello. I am Ralph Kroy, Chairman of
17 the LA City Sunshine Canyon Landfill Community Advisory
18 Committee. The Landfill, operated by BFI, is presently
19 operated with government, State, County, and City rules.
20 The facility is planned to be operated as a joint County
21 and City facility by BFI at a time that is planned by
22 both the County and City to be several years hence by
23 existing regulations accepted by BFI. BFI is ignoring
24 this requirement. This is shown by their operation in
25 the area between the County and City portions of the

1 Landfill, the bridge area.

2 BFI is now trying to circumvent these County and
3 City rules by going directly to the State, your Board.
4 We find this to be unacceptable, as many of the
5 mitigation and operation rules may not be required or
6 enforced by the State. The State should not have
7 accepted the BFI's submittal, as the County and City are
8 planning to join the operation, as they should, prior to
9 a submittal to the State.

10 Several of us, myself included, have testified
11 before the Board in Sacramento on several occasions in
12 the past. The Board did not listen to us on these
13 occasions and was not concerned about the safety issues
14 that we presented. The fact that BFI had many
15 violations, over 70 at that time, was not a problem for
16 Mr. Jones and other members of the Board. From past
17 experience, we do not trust the Board for the safety of
18 the community. Please reject the BFI submittal and have
19 the County and City do their job, as is required.

20 We have submitted a prior note to the Board and
21 I would just submit this rather than read it. Okay.
22 Thank you.

23 MR. BLEDSOE: Just so that everybody knows -- excuse
24 me one second, please. Just so that everyone knows,
25 Mr. Kroy mentioned a couple of things. We do have a

1 disagreement going on right now between the City and
2 County Local Enforcement Agencies and the California
3 Integrated Waste Management Board.

4 The two LEAs, the City and County LEA, have
5 filed an appeal to challenge the Board's acceptance of
6 the application and to challenge the Board's acting as
7 taking on the role of EA in this situation, so that legal
8 process has begun, and it's an administrative process
9 that will be worked out over the next -- well, before the
10 June Board meeting is our goal.

11 That's our objective to try and get those issues
12 resolved before then, but just so that you know, that
13 appeal is pending. Oh, I'm sorry. North Valley
14 Coalition is a party to that. They also appealed along
15 with the City and County LEAs. Excuse me.

16 MR. MOHAJER: I guess I'm up. My name is Mike
17 Mohajer, and I'm a member of the Los Angeles County
18 Integrated Waste Management Task Force, and I'm going to
19 be referring to it as the "Task Force." On behalf of the
20 Task Force, I want to thank the California Waste
21 Management Board for the opportunity to comment on the
22 proposed action in reference to the application by BFI
23 for a new Solid Waste Facilities Permit for the combined
24 City/County Sunshine Canyon Landfill.

25 The Task Force has opposed to the proposed

1 action by the Waste Board. Allow me to elaborate on
2 that. For some of you who don't know, the Task Force was
3 formed pursuant to Chapter 3.67 of the Los Angeles County
4 Code and the California Integrated Waste Management Act
5 of 1989 (AB 939), the same act that formed the California
6 Integrated Waste Management Board.

7 The Task Force is responsible for coordinating
8 the development of all major solid waste planning
9 documents prepared for the County of Los Angeles and its
10 88 cities in Los Angeles County with a combined
11 population in excess of 10 million. Consistent with
12 these responsibilities and to assure a cost-effective and
13 environmentally sound solid waste management system in LA
14 County, the Task force also addresses issues impacting
15 the system on a countywide basis.

16 The Task Force membership includes
17 representatives of the League of California Cities Los
18 Angeles County Division, the County of Los Angeles Board
19 of Supervisors, the City of Los Angeles, the waste
20 management industry, environmental groups, the public,
21 and a number of other governmental agencies.

22 On March 20, 2008, the Task Force unanimously
23 voted to oppose the proposed permit application by the
24 active owner/operator and the action of the Waste Board
25 can't accept the permit application complete because of

1 the following: One, the proposal is not consistent with
2 a requirement of the land use permits issued by the City
3 and the County of Los Angeles, as well as those specified
4 in the Los Angeles County countywide -- (inaudible). The
5 requirements stipulated in the land use permit and those
6 included in the countywide (inaudible) are formulated to
7 protect the health and safety of our citizens, as well as
8 the environment, and must not be ignored by the Waste
9 Board.

10 Secondly, the proposed action Waste Board in
11 reference to the issuance of a new Solid Waste Facilities
12 Permit for the combined City/County Landfill is a
13 violation of California code of regulations Title 14,
14 section 18756, subdivisions A, B, and D.

15 Also, for your information, on February 28 of
16 this year, the Task Force voted to support Assembly Bill
17 2415, which I provided a copy of on the back table. This
18 bill was introduced on February 21st, 2008. The bill
19 requires the Waste Board to obtain the approval of each
20 development designated and certified local enforcement
21 agency prior to approving the Solid Waste Facilities
22 Permit for any facility which occupies two or more
23 jurisdictions, such as the case for the Sunshine Canyon
24 Landfill with the City and the County.

25 I want to thank you for the consideration of our

1 comments, and the Task Force has requested that these
2 comments be incorporated into the records that approval
3 response letter prior to further consideration and
4 potential issuance of the new Solid Waste Facilities
5 Permit for the combined City/County Landfill.

6 One other item that I just noticed, I strongly
7 request that the Waste Board, should they move forward
8 with the issuance of the Solid Waste Facilities Permit
9 for the combined City and County, that they schedule the
10 meeting down here in LA, and not in Sacramento. This is
11 where all of our -- (applause) -- and for quite a few
12 years, the LA County introduced the legislation which
13 required the Waste Board to meet down here, and for the
14 several years, the Waste Board did on-and-off several
15 times a month, but for the past several years, I have yet
16 to see the Waste Board conduct any meeting in Los Angeles
17 County as a whole.

18 After all, we pay the most money from the County
19 of Los Angeles in 88 cities that supports the activity of
20 the Waste Board, so I strongly, as a person, not as a
21 representative of the Task Force but as a citizen, I
22 request that the meeting to be conducted down here.
23 Thank you.

24 MR. DE BIE: Mike, congratulations, as soon as you
25 stopped, the buzzer went off. Staff have raised the

1 issue of scheduling for both the committee meeting and
2 Sue indicated that we would have the committee meeting
3 down south here. Much of the the work of the Board is
4 done through committees, so you can be assured that the
5 key people that need to be involved with the process at
6 the Board level will be here locally at the committee
7 meeting.

8 We will certainly bring the message back to the
9 Control Board to indicate that there's some desire and
10 (inaudible) --

11 THE AUDIENCE: Can you speak into the mic, please?

12 MR. DE BIE: Certainly. Certainly. Certainly. All
13 right.

14 So, Sue, you have the next two speakers.

15 MS. MARKIE: We've had a request to hear a few
16 speakers in order, so we're going to go ahead and do that
17 if that's okay. The next two speakers are Nicole Bernson
18 and Keith Pritsker.

19 MS. BERNSON: Good evening. I'm Nicole Bernson here
20 on behalf of Councilmember Greig Smith. I have a letter
21 from the Councilman to read:

22 "To the Staff of the Integrated Waste Management
23 Board: It is the official position of the City of Los
24 Angeles that the Waste Board Staff has overstepped its
25 authority by accepting BFI/Allied Waste's Solid Waste

1 Facilities Permit application for a Joint City-County
2 Landfill. In so doing, you have usurped local control
3 over land use issues that are at the core of this
4 approval. The city council has authorized the city
5 attorney to file a lawsuit, if necessary, to remedy this.
6 Additionally, we are seeking Legislative Relief in the
7 form of AB 2415, carried by Assemblymember Fuentes.

8 "The City and County of Los Angeles have worked
9 long and hard to guarantee extensive community,
10 environmental, and public health protections for this
11 facility. Additionally, as we have worked to negotiate
12 our Joint Powers Authority, we have sought to assure the
13 preservation of these actions. It is the City's belief
14 that by assuming the permitting review function, you have
15 put these protections at risk, thereby negating their
16 benefit and years of diligence on the part of City staff
17 and community members.

18 "I urge you to abandon your attempt to usurp our
19 local control and return BFI/Allied Waste's Solid Waste
20 Facilities Permit application so that it may be submitted
21 and reviewed by the appropriate local agencies.

22 "Sincerely, Councilman Greig Smith, Twelfth
23 District."

24 MR. PRITSKER: I thought that Nicole's comments were
25 kind of summarized the direction that I'm taking. Once

1 again, my name is Keith Pritsker. Maybe I should have
2 this a little further from where I'm talking. I'm a
3 Deputy City Attorney for the City of Los Angeles. I'm
4 currently working with County Counsel, and together we
5 have filed an application with the State asking them not
6 to accept, or to return, this application from BFI and
7 the issue that, as was already mentioned by Nicole, that
8 we're most concerned about is local control.

9 Rather than repeat the arguments that are rather
10 abstract and in some ways complicated because they deal
11 with rules, we fundamentally are concerned, and I assume
12 that what everyone who is sitting in this audience today
13 and to whom I'd like to address my remarks is concerned
14 about is what does the State taking over the job of being
15 the enforcement agency and committee agency for this
16 Landfill mean to us as local residents?

17 Back in 1999 when the City permitted the
18 expansion of the Landfill on the City side of the
19 boundary line in Sunshine Canyon, the City imposed over
20 120 conditions on the operation of that Landfill. A lot
21 of those conditions relate to oversight by an LEA, and we
22 have an effective LEA that's out there on a daily basis,
23 required by one of these conditions. We would like to
24 see the type of vigorous oversight that has been at that
25 Landfill continue to be at that Landfill.

1 We appreciate the fact that the State is looking
2 to us for some input, but we feel that it is
3 fundamentally the job of the City and the County to do
4 the permitting here, and I would ask those of you in the
5 audience who are concerned about this and about
6 maintaining local control with the City and the County to
7 contact your legislators and tell them that you support
8 the passage of AB 2415. That bill is coming up for a
9 hearing on Monday, April 7th, before the State Assembly
10 Natural Resources Committee, so I'm sure that it would
11 help if all of you could let your legislators know.

12 I do want to say that the people who operate the
13 Landfill are good, honest, hardworking people. I've
14 known them, as well as the residents of this community,
15 for several decades now, and I'm sure that we'll be able
16 to work things out in a way that will benefit the best
17 interests of the City and County of Los Angeles in a way
18 that will not entear (phonetic) the operation of the
19 Landfill, but we think it's essential that we maintain
20 local oversight and control of that Landfill. Thank you.

21 MS. MARKIE: Thank you. The next speaker is Wayne
22 Tsuda, and Iris Aguirre will be after Wayne.

23 MR. TSUDA: Good evening, everybody. I am Wayne
24 Tsuda. I am the Director for the City of Los Angeles
25 Local Enforcement Agency, and I'm proud to say I've been

1 on this job since 1991 when the Landfill had just closed.

2 The City of Los Angeles LEA would like to make a
3 few comments with respect to the -- to clarify our
4 position on the Waste Board permit process. I made
5 copies of the remarks that I'm about to deliver in the
6 letter, and the copies are on the back table, if you'd
7 like to pick one up.

8 Number one, we believe that the BFI permit
9 application for the combined City/County Landfill should
10 be handled at the local level by us through the normal
11 process. The normal process takes about 120 days in
12 processing. The process that we are on right now is
13 reduced from that 120 to roughly about 60 days. Both of
14 our programs are State-certified and we are currently out
15 there enforcing provisions of the Landfill permit and we
16 are inspecting the Landfill on a daily basis, so we are
17 on the job.

18 We believe there is no reason why we cannot work
19 jointly to process the BFI combined Landfill application,
20 and as you've heard from our attorney, we are appealing
21 the Waste Board staff's action in assuming the role of
22 our LEA. We do not believe there is a gap in regulation,
23 as the Waste Board believes. In fact, we believe the
24 Waste Board lacks authority for taking over the local
25 permitting process in that the city council and County

1 Board of Supervisors have not given permission to the
2 Waste Board to take that function over, as required by
3 State law.

4 We are appealing this process back to the Waste
5 Board because that is required by our administrative
6 procedures. Keith Pritsker did mention that -- or Nicole
7 had mentioned that a lawsuit was authorized by the city
8 council, but our LEA process requires us to appeal to the
9 Board, and we are doing that.

10 Number two, we strongly believe that any permit
11 issued for the combined operation take into consideration
12 the land use entitlement conditions. We were part of the
13 process that reviewed land use entitlement conditions as
14 part of the zone change that occurred in the City. We
15 permitted the Landfill as it currently is, part of 120 or
16 so conditions that Keith mentioned to you were carried
17 into our permit. We have been told that it is the Board
18 staff's opinion that local conditions of approval are
19 separate and should be separately enforced. We believe
20 the best permits are those that evaluate, recognize and
21 support local requirements that clarify operational and
22 technical concerns.

23 We are not interested nor do we feel it's
24 appropriate to put conditions in the permit that are not
25 related to the solid waste operations. That's why air

1 quality and water quality and permitting is not placed
2 into the solid waste permit, but for those conditions of
3 approval that are related to the operation of a Landfill,
4 we would put in.

5 Number three, additionally, we have reviewed the
6 current application package from BFI, and we find some
7 issues in the Joint Technical Document. We find that
8 some of the information is missing, lacking detail or are
9 incomplete. We will be adding the appeal of the Waste
10 Board's completeness determination, should we not get
11 those issues resolved promptly.

12 As I stated before, we are currently working
13 with the City and County and our respective governing
14 bodies to establish an agreement and to get oversight for
15 the combined City Landfill. The agreement and supporting
16 documents will result in an application for the new
17 Sunshine Canyon Landfill Local Enforcement Agency, and
18 when that is completed, our staffs will join together to
19 create a new independent LEA for regulating Sunshine
20 Canyon. We expect that this agreement and supporting
21 documents will be completed by probably the end of May,
22 and we're hoping that the Board will expedite the
23 processing of our application package so our LEA can be
24 certified and start functioning immediately. Thank you
25 very much.

1 MS. AGUIRRE: Good evening. My name is Iris
2 Aguirre. I am the Chief of the Solid Waste Management
3 Program with the Local Enforcement Agency and Los Angeles
4 County for Solid Waste Matters.

5 I want to thank the staff of the California
6 Integrated Waste Management Board for the opportunity to
7 come tonight and for the opportunity to provide input in
8 the permitting process of the process that combines the
9 two Sunshine Canyon Landfills.

10 The owner/operator of the Sunshine Canyon
11 Landfill is Browning-Ferris Industries. In January of
12 this year, the CIWMB received an application from BFI for
13 a Solid Waste Facilities Permit that would combine the
14 City and County Landfill into one Landfill. The CIWMB
15 accepted the application from BFI and is currently
16 processing the application.

17 The public meeting tonight is part of the
18 process along with the review of the application and its
19 supporting documents. Such an application is typically
20 submitted to the appropriate Local Enforcement Agency, in
21 this case, the City and local County -- excuse me --
22 Local Enforcement Agencies, respectively. BFI submitted
23 the application to the CIWMB, and the CIWMB chose to
24 process the application. There are several reasons given
25 by BFI and by the CIWMB as to why this was done, but I'm

1 not going to speak to those tonight. Those reasons are
2 better left to be addressed by those two parties, BFI and
3 the CIWMB.

4 The County LEA has previously stated the
5 submittal of the application by BFI to the CIWMB was
6 improper, and the processing of the application by the
7 State is improper. The County LEA has filed an appeal of
8 this action by the CIWMB. We appreciate that the CIWMB
9 will hear our appeal on May 13, 2008. By providing
10 comments and input on the BFI application, the County LEA
11 has worked cooperatively with the CIWMB and they are to
12 be processed. However, we are compelled to have this
13 appeal heard in order to preserve the rights of the
14 County and the County LEA.

15 It should be noted that the City and the County
16 of Los Angeles are working together to lay the groundwork
17 to establish a new joint Local Enforcement Agency that
18 will permit and regulate the combined Sunshine County
19 City Landfill. This new LEA will leverage the knowledge
20 and experience of the two existing agencies that have
21 provided effective oversight of the City and County
22 Landfills for the past several years. We appreciate the
23 CIWMB's offer to assist the City and County in the
24 formation of this new LEA.

25 I'm also here tonight to reassure the public

1 that the proper regulatory oversight of the Sunshine
2 Canyon Landfill will continue throughout this process.
3 This includes the daily presence and oversight of
4 inspectors from the County Local Enforcement Agency as
5 directed by the Los Angeles County Board of Supervisors.
6 The City and County Local Enforcement Agencies have
7 agreed to work closely with each other to ensure that the
8 public health and the environment continue to be fully
9 protected.

10 The CIWMB has welcomed the input of the City and
11 the County in the review of the application and has also
12 requested that the City and County work with the CIWMB to
13 ensure that the proper regulatory oversight of the
14 Sunshine Canyon Landfill is maintained. I would like to
15 reassure everyone here tonight that the permit process
16 should and will be driven by the regulatory process, as
17 has been the case with all the other permits issued by
18 the LEAs and concurred by the CIWMB.

19 I'm confident that working together with the
20 State, the County, and the City will resolve the
21 jurisdictional issues currently before us and working
22 with BFI, the waste management needs of the City and the
23 County of Los Angeles will continue to be met. Thank you
24 for the opportunity to comment tonight.

25 MS. MARKIE: Thank you. The next speaker will be

1 Ben Pedrick and Mary Edwards.

2 MR. PEDRICK: Good evening. My name is Ben Pedrick.
3 I'm a resident of Granada Hills since 1963, and I'm
4 speaking as a private citizen and a taxpayer and voter.
5 I don't represent any group. I just have a couple of
6 questions.

7 Why is the State trying to usurp the authority
8 of LA City and LA County? Who has been pushing
9 this -- BFI, State bureaucrats, or both? The State is
10 facing a \$15 billion deficit. Why is revenue being
11 wasted by the State to try to control the permits in
12 Sunshine Canyon? It appears to me to be there's going to
13 be loss of local control and squandering of the State of
14 California funds, which will have to be on our backs, the
15 taxpayers. So I think we should keep total local control
16 and ask the State to butt out.

17 MS. EDWARDS: Hi. My heart is so full because we
18 have been over this road so many times in this community
19 to where we have had to fight the interest of great
20 amounts of money and corporate greed just to try and make
21 the Landfill barely livable, even though some some of us
22 aren't so sure that it is something that we can live
23 with.

24 The problem tonight, as is all nights, is that
25 we're going to go through a political process that lets

1 our Sacramento, not our Los Angeles, where the big
2 landfills are in Los Angeles, there's Agoura Hills and
3 Sunshine Canyon, so Sunshine Canyon will be the largest.
4 The State operates -- the Board and the State operates
5 these Landfills from Sacramento, 400 miles away. When we
6 want to go up, and we have gone up on many occasions, to
7 take the time off and speak to them, they have been less
8 than responsive on most occasions and sometimes almost
9 seemed like they were preoccupied with other things and
10 were only just going through the pro forma.

11 So we have never, ever had the confidence that
12 the State could do the kind of job that they're now
13 asking to do, even though -- even in the local situation,
14 we are so confused by the lack of an environmental
15 document that even remotely reflects what is the
16 condition of the Landfill, since we need a new
17 environmental document, because you could never
18 understand what's going on from the old one.

19 They've changed it and changed it and changed it
20 through things called "addendums" which were never
21 supposed to be parts of a significant change. They were
22 only for small issues that would come up that they've
23 used to transform the operation of the facility into
24 something that's unrecognizable, and most people can't
25 even object to it because they don't even know what the

1 rules are anymore; they have changed so significantly.

2 We need a new Environmental Impact Report, and
3 not one like they did here as a proponent of the project
4 to prepare it, because they leave out all the stuff
5 that's bad and put in only the stuff that's bright and
6 sunny, so it's not even a good environmental document.
7 We need a new environmental document with a chance for
8 people to ask questions and give their comments -- and
9 then if they start giving lots of comments, they change
10 to something called a topical response where they would
11 brush over everything in whole-topic form and not even
12 answer the individual questions.

13 We have been so manipulated and so hurt, and so
14 much of it has become because of money. You know, we are
15 feeling sometimes, I think, that we have been sold out
16 for corporate greed, and it's taken a toll on people that
17 are -- AQMD recently said that pollutants from diesel
18 trucks, which we get many, many, many, many of, are one
19 of the hugest factors of illness. So with all the
20 diesels that come into this neighborhood and the air
21 pollution caused by diesels, we don't hear a word about
22 converting the heavy equipment to anything else or all
23 the trash to less -- the fossil fuels, so this is a real
24 health concern.

25 It's a neighborhood concern, and sometimes -- I

1 have been doing this for so many years -- and I still get
2 glimmers of hope, but sometimes I think I can't even hang
3 onto those anymore. So please, please, someone, stop
4 thinking about the bottom line being money and the bottom
5 line being greed and think about the bottom line of the
6 health of all communities everywhere. I want us to focus
7 on that.

8 MS. MARKIE: Okay. Thank you. The next speaker
9 will be Hank Feldmann and Wayde Hunter.

10 MR. DE BIE: Hank is coming up, and I just wanted to
11 indicate to everyone who is abiding by the five-minute
12 rule, we really appreciate that, so hopefully we can
13 carry on, keeping it in there. I've let a few people go
14 over five minutes. If it goes over two or three, then
15 I'll start doing signals, so if you see me getting
16 animated, that's what I'm doing. So far everyone's been
17 really good about the time. We really appreciate that.
18 I'm sure everyone out there appreciates people being to
19 the point, so thank you.

20 MR. FELDMANN: Thank you. If you want to whistle
21 loudly as I approach five minutes, I'd appreciate that.

22 I'm Hank Feldmann, and I don't represent any
23 organization, but I've lived across the street, across
24 the park here, since 1964, in the same place. I've seen
25 this Landfill change from a little, private

1 family-operated sort of a situation until it got to go
2 corporate. When it went corporate, the people in this
3 area thought, you know, we ought to keep an eye on that,
4 corporations having the reputation that they have, and,
5 believe me, I'm an old corporate bureaucrat from way
6 back, so I know it's a well-deserved reputation.

7 So we formed a group probably centered a lot
8 around the last speaker you heard, Mary Evans. When she
9 talks about fighting this fight for so many years, she's
10 talking about back in 20 to 30-some years ago. That lady
11 has really fought the fight, standing on the ground in
12 front of BFI, getting carted off to jail because of the
13 nuisance that we were making, but folks, I've got to tell
14 you, that's what local control means; that's what local
15 enforcement means, and this LEA that is now becoming
16 something to put under the broad jurisdiction of the
17 State ain't going to get it, because it's got to be
18 overseen and enforced by the people on the ground where
19 it's happening and you can't do that from Sacramento,
20 particularly when you've got a governor up there who
21 appoints people to Boards that, gee, don't do quite what
22 they said, and they're gone overnight.

23 Folks, and I'm including folks with the Board
24 members here, this is not your jurisdiction. You're not
25 local, and we're a little bit unhappy with the

1 application of the word "enforcement" from that far away.
2 So I support everybody's comments that spoke before me,
3 to say, please, think about it carefully before you take
4 on this as something justified by the State. Leave it in
5 the hands of the community. We'd appreciate that.

6 MR. HUNTER: Thank you. My name is Wayde Hunter.
7 I'm President of the North Valley Coalition. I'd like to
8 sort of digress from my prepared remarks for a second.

9 That phased approach that you presented does not
10 match with my recollection of anything that was
11 previously approved by the County or the City.
12 Apparently, BFI has taken it upon themselves to make some
13 changes which we all weren't aware of to their new plans.

14 I also have addressed in my written comments
15 that I believe BFI has already started Phase I and is in
16 the bridge area illegally without permission, and I'll
17 address that in my written comments. Just to spare you
18 all a lot of time, I will submit all of the material
19 that's on the Joint Technical Document, but let me just
20 give you a few things.

21 The NVC appreciates the opportunity to comment
22 on the Solid Waste Facilities Permit application and its
23 supporting documentation in the form of a Joint Technical
24 Document submitted to the California Integrated Waste
25 Management Board. No permit should be deemed complete or

1 approved unless and until all data necessary to make a
2 final decision is provided.

3 The only way to permit reasoned consideration is
4 to have in hand, at the time deliberations commence on
5 the merits of the application, all the data that will be
6 needed for review. The California Integrated Waste
7 Management Board has failed to accomplish this not only
8 from the point of documentation but by ignoring the input
9 of their own appointed LEAs. For this reason, we remain
10 firmly opposed to the Board accepting this application.
11 The proponent has failed to observe land use conditions.

12 BFI has claimed that they had nowhere else to
13 file for the combined Landfill when they were fully aware
14 for a number of years that the City and the County had
15 been working on a Memorandum of Understanding as to the
16 fees and that a Joint Powers Agreement was being worked
17 on to specify the combined Landfill's lead LEA based on
18 previously approved Zone Change documentation's (T) and
19 (Q) Conditions, among them that under there was a
20 five-year moratorium on combining the City and County
21 portions of the Landfill and dates certain for processing
22 that application.

23 They have manufactured a capacity shortfall
24 where none exists today in order to force the State, the
25 City, and the County to process and/or prematurely reach

1 agreements. BFI claims that the shortage exists because
2 Cell A of the City side is filling up and that Cell C,
3 also on the City side, which they have chosen to store
4 excavated earth for future use, will cause more pollution
5 if they have to move it, and oh, yes, the real reason:
6 it would cost them more money if they have to move this
7 stockpile soil.

8 At a recent tour it appeared that they have
9 already been preparing the bridge area, and that's in
10 CC-1 of the combined Landfill, or Phase I. At a recent
11 meeting of the City CAC, BFI admitted that activity was
12 occurring in this area.

13 The County had contemplated some activity on the
14 County side of the bridge area; however, it was supposed
15 to occur only with City approval. Questions that were
16 directed to the City's LEA indicate that no such
17 approvals have been given and requests by both City and
18 County CACs for written proof of that approval have not
19 been supplied after several requests and have not today.

20 We have other issues. Of great concern is the
21 fact that the State does not have to consider local land
22 use issues when processing this permit. The public has
23 fought hard to win conditional use conditions that they
24 felt necessary in order to protect the health, safety,
25 and welfare of the surrounding communities.

1 One of the requirements for opening of the City
2 side expansion was final closure of the old City
3 Landfill. This has not occurred, and despite its closure
4 in 1991, it remains without final revegetation today,
5 some 17 years later. The applicant, the City, and the
6 State, in particular, have all been remiss in their
7 duties, and to be considering a permit for a combined
8 Landfill without State-certified closure of Units 1 and 2
9 of the City is a violation of the public's trust. It was
10 your job to do this, and you failed.

11 This brings us and the public to an important
12 question. It was the City and County LEAs that processed
13 and approved the original documentation and CEQA
14 documents that supported their own approvals of
15 subsequent expansions. Because the State is now usurping
16 their own LEAs authority, what CEQA documentation does
17 the State rely on?

18 The public already feels that the CEQA
19 documentation is out-of-date and does not support a
20 combined Landfill. CEQA requires that the documentation
21 be clear and that the public be able to understand it.
22 The confusing mess of the EIRs, DEIRs, SEIRs, et cetera,
23 has made this impossible. We believe that a new EIR
24 should be required regardless of who processes this
25 permit.

1 The Joint Technical Document which has been
2 submitted in support of this Solid Waste Facilities
3 Permit is flawed. Both the City and the County agencies
4 are now seeing this document for the first time. The
5 Regional Water Quality Control Board, Los Angeles Region,
6 has reviewed this document and on February 7, 2008, found
7 it to be incomplete due to deficiencies. The NVC will
8 submit comments tonight also on some of the plans we
9 have. I'm not going to read them all, but we have some
10 real concerns about the structures that they plan to
11 build for the reintroduction of water into the Landfill.
12 We were promised by the Los Angeles Regional Water
13 Quality Control Board that no leachate would ever be
14 introduced into that Landfill, and what we see, as far as
15 we can tell by the size of those structures, is that
16 we're looking at maybe a bioreactor here, and that never
17 was ever discussed anywhere.

18 I have to go and say that Appendix N, the
19 Excavation Slope Stability Analysis and Final Refuse Fill
20 Slopes, this analysis was prepared in 2002 and does not
21 appear to be for the current design. After the approval
22 of the new County CUP, all liner systems after Phase IV
23 were constructed with double liner systems.

24 While there is a proposed stability analysis for
25 each phase, there is no plan for the entire project. A

1 new analysis should be prepared for the entire combined
2 Landfill as proposed, rather than a piecemeal approach.
3 The California Integrated Waste Management Board is
4 already in receipt of documents submitted on our behalf
5 by our attorneys, Altshuler, Berzon, Nussbaum, Rubin &
6 Demain, on March 7, 2006, in which our consultant,
7 Dr. Stark, had commented on the August 2005 Joint
8 Technical Document and found that it lacked much of the
9 data necessary to evaluate slope stability, et cetera, et
10 cetera. Anyway, I will submit my comments in full.
11 Thank you.

12 MS. MARKIE: All right. Thank you. The next
13 speaker will be Ed You and Viki Kind.

14 MR. YOU: My name is Ed You. I'm a long-time
15 resident of Granada Hills. I and my neighbors have seen
16 too many of BFI's tricks in the past, like, oh,
17 reinterpreting the conditions of their Conditional Use
18 Permits in order not to do the mitigations that they're
19 required to do, or like putting in helicopter landing
20 pads without any permits -- tricky, tricky, tricky. How
21 could you accept the mistruths that they've told you in
22 order to get you to process their permit for this
23 combined Landfill? How could you, especially since the
24 City and the County LEAs and the North Valley Coalition
25 have filed appeals?

1 Personally, I am sick and fed up of watching
2 this enormous Landfill grow even larger. When we look at
3 the site where the area encloses, we see nothing but bare
4 earth. The winds are tremendous here. Dust and dirt get
5 airborne both day and night. I won't even talk to the
6 plastic bags that blow over on occasions, trashing the
7 surrounding land, including O'Melveny Park. So why are
8 you helping them instead of us?

9 We have high rates of asthma and cancer. Just
10 because you don't always see a huge cloud of dust coming
11 our way doesn't mean that there is no dust in the air.
12 On any day you can look into the Landfill in the late
13 afternoon from Foothill Boulevard and Balboa Boulevard
14 and you can see the dust in the air and you can see it
15 moving up the mountain toward the south. Like I said,
16 the dust comes in day and night with the winds, but you
17 can't report what you can't see because it's night. A
18 little bit of PM10 or PM2, whether at day or night, will
19 still have the same health impacts over time.

20 Why are you allowing this to go forward, when
21 the old Landfill has not had final cover and the huge
22 interior cut and cover slopes around the inside of
23 Sunshine Canyon that could have grasses and trees planted
24 on them remain bare? Shame on you for accepting their
25 application.

1 MS. KIND: Hi. My name is Viki Kind. I moved into
2 this neighborhood, just across the street, about a year
3 and a half ago from Northridge. I am a person with
4 asthma. When I lived in Northridge, I could keep my
5 windows open and my asthma didn't get worse. Now that
6 I've been in this community, I can't breathe. I have to
7 use my inhaler more often. It's scary not to breathe.
8 Do I have to move to find a better place for my health?
9 I don't know.

10 I have some other comments I've written, but
11 this is personal. One thing I'm concerned about is that
12 you filed a Joint Technical Document, and you put it in
13 the library for all of us to find, but how would I find
14 it? I didn't even know about it until today, and I
15 couldn't go and read the whole document that quickly. I
16 know that I've talked to people at NVC, and they were
17 told by your Integrated staff that you were just
18 circulating this as a rough draft and that you were
19 waiting for other agencies to comment on it and that the
20 Regional Water Board and other people who said we
21 shouldn't be voting on this yet, they've all said, "No,
22 not yet," and instead, you're moving forward and it's not
23 right. This is not a good document.

24 Many of us don't understand why you've accepted
25 an incomplete document. Why haven't you let your own

1 LEAs handle this application so that the comments like
2 the people of the Water Board -- that we can address
3 their comments? I know a lot of people in this room, we
4 wait for these meetings. We wait to have our voices
5 heard. We want you to explain to us, what the heck are
6 you doing accepting a permit that should never have been
7 accepted in the first place?

8 We all know that BFI lies over and over. In the
9 year and a half that I've just been here, the things I've
10 heard and watched have been horrific. Please, enforce
11 the closure requirements that are already mandated. I
12 know that you're not going to close the whole Landfill
13 like all of us wish, but close the part that should be
14 closed. At least that much more pollutant won't be in
15 the air, causing me not to breathe. Thank you.

16 MS. MARKIE: Does anybody need a break, or do you
17 want me to continue going on?

18 THE AUDIENCE: Continue.

19 MS. MARKIE: All right. Allen Hecht and Bernard
20 Feinstein.

21 MR. HECHT: My name is Allen Hecht. I live in
22 Granada Hills. I am a member of the County Oversight
23 Commission, one of so many of these groups that oversee
24 this Landfill. I want to read what I have to say here,
25 and I want to comment afterwards.

1 I have great concerns about earthquakes. This is
2 the most seismically active area in all of Southern
3 California. In the past, BFI has done a poor job on
4 stability studies. It seems that most of the time
5 they've gone unlogged, just like the treadmill rollover
6 report (phonetic) showed. I also know that issues of
7 stability had been raised not so long ago by the NVC's
8 consultant, Dr. Stark, about BFI applying in 2006 for a
9 new Solid Waste Facilities Permit. So the question is
10 why are they being allowed to do stability studies on
11 each phase and not on the whole combined Landfill, as
12 required?

13 Personally, I've got a few more comments on
14 that. I've been involved in this thing -- I don't even
15 want to think about how many years that we've been
16 involved in this. I've gotten smart and educated about
17 things I never new existed. One of the things I know is
18 that I read a long time ago that an incremental EIR is
19 illegal. The law does not allow it, and we have the
20 super-incremental EIR; this has got to be the greatest
21 incremental EIR the world has ever seen.

22 As far as the lady who was concerned about
23 finding the documents in the library, we had tens of
24 thousands of pages in the library, and they cleaned up
25 the library and they threw them all out. This is stuff

1 that a lot of it we couldn't replace, and we have been
2 asking over and over again about when the Joint Technical
3 Document was going to be placed in the library, and we
4 got the answer of, oh, I thought it was in the library;
5 somebody told me it was there. We just found out it was
6 just recently, maybe in the last week or two, finally
7 placed in the library.

8 So we have not had a lot of information that the
9 community is supposed to have, and all we have is just
10 things that are really of no use. It's very difficult
11 for those of us who have been involved. All you've got
12 to do is listen to the voices of the people who are close
13 to it and realize how frustrated they are. There's no
14 oversight from -- I mean, the State has never done
15 anything for us. I can remember going up to the State
16 and begging them to finalize closure of the first stage
17 of the Sunshine Canyon Landfill, and they said, "We'll
18 take care of it," and they have. Thank you.

19 MR. FEINSTEIN: Good evening. My name is Bernard
20 Feinstein. When I first started to hear about the
21 activities of BFI, the Landfill, my children were going
22 to school here at Van Gogh. Ernie Scott was the
23 principal, and we had to fight to get him back when they
24 took him off to Reseda.

25 The fact is that I just want to talk for a

1 moment about good faith. In 1987, I started attending
2 these meetings. We had blowing papers, dust, fowl odors;
3 we had fire later on, rats, traffic congestion. The mood
4 of the people holding this meeting was somewhat
5 conciliatory as opposed to being relatively
6 matter-of-fact now, and this is what we're up against.

7 Initially, I hear a tug-of-war between agencies
8 making sure that the City and County interests are being
9 well-served. The fact is that this community is not
10 being well-served. The mitigation to remove the dust and
11 the blowing papers and the foul odors and the rats and
12 traffic congestion is no different than it was in 1987.
13 There may be a few occasional peaks in values in terms of
14 enforcement, but the very fact that I am taking in
15 inhalants and other types of medication for asthma that I
16 never had before speaks to the fact that this is not a
17 very healthy place to live.

18 The comments concerning the closure of the first
19 phase of the Landfill are certainly very valid and speak
20 to the good faith of not only the people who are running
21 the dump -- which it is, a dump -- and the government who
22 are enforcing the promises or the hands that have reached
23 out to the community in order to say let us have the
24 opportunity to be economical in terms of not having to
25 transport our waste all the way out to Kelly's Barn and

1 back.

2 Many or several of those Landfills in the Los
3 Angeles Community have been closed, leaving this to be
4 now the primary dumping place for the City's refuse, and
5 you can see the tarnished figures as they continue to
6 build.

7 I don't really see much attention being paid to
8 the community's needs if the conditions that prevailed at
9 the time that I started attending these meetings in 1987
10 are still prevalent. I really feel that if the
11 continuing of the expansion is done, it will continue to
12 degrade the environment in which we live and in which we
13 would hope that our families would continue to live.
14 It's not a very nice offering to look forward to, and
15 hopefully somebody will take some cognizance of the
16 continued frustrations of the community to heart and
17 really serve the public that pays the taxes, that votes
18 for the legislators, and that has to live in the
19 environment that you provide for us. Thank you very
20 much.

21 MS. MARKIE: All right. Thank you. The next
22 speaker is Anne Ziliak and Jim Summers.

23 MS. ZILIAK: Hi. I am Anne Ziliak. I am the Vice
24 Chair of the Granada Hills North Neighborhood Council and
25 Chair of the Planning and Land Use Management Committee.

1 I'm here today to tell you that our Board voted
2 to oppose what you are planning to do with BFI's
3 application. The Granada Hills North Neighborhood
4 Council represents close to 30,000 people within not a
5 very big boundary, frankly, but on February 25, the Board
6 took a vote to oppose the issuance of a Solid Waste
7 Facilities Permit for a combined City/County operation.

8 We did that for many reasons, but I think the
9 most important one was that even though we worked so hard
10 to have conditions imposed on this Landfill, the idea
11 that the State has decided that that's separate somehow
12 than the actual Conditional Use Permit and the Solid
13 Waste Facilities Permit, we find that crazy. We work so
14 hard for those conditions, and one of the conditions was
15 five years. They were not supposed to even come for five
16 years. This is not five years, and they've been working
17 on doing this before that.

18 I think the most important thing for this
19 community is to have faith in the people that make the
20 rules and make them, follow them, and if we cannot count
21 on the State to do that, what are we to do? We feel
22 horrible that this has to happen, but we need you to do
23 the right thing. We need that Board to do the right
24 thing, and give it back to the local control. Nothing is
25 perfect, but that's the process, and the idea that the

1 State does not want to approve that process is crazy.

2 I'm sure that everybody here -- and I'm so glad
3 that everybody came, because we need to make sure that
4 what we have to say is heard by that Board. If they're
5 in Sacramento, I find that very difficult for us to deal
6 with. For all of us go to Sacramento to go to a hearing
7 is going to be very difficult. I think somebody had
8 asked before that the hearing be held here. If that's
9 going to happen, we do want that. Something that
10 Mr. Hunter alluded to earlier with the information -- 12
11 volumes -- we only got to see the documents; we didn't
12 even get to look inside the document to come up with
13 concrete things for us to reply to, because that's being
14 shared by the CACs.

15 How can we do that? We have to review so many
16 things. The idea that we can review 12 volumes in, what,
17 five days, between both the CACs and neighborhood
18 councils, that's insane. To have them taken away before
19 we could even really look at them is hard for us. We
20 have copies of some things, but I don't know how long
21 it's going to take for us to review them. And the idea
22 that, I think, even Wayne Tsuda alluded to earlier, that
23 at least that process is 120 days, and I think you
24 said -- you're giving us how much time to review it
25 before you had this meeting today? I don't know how long

1 it was. Was it 60 days before this meeting today?

2 MR. DE BIE: I'm not -- maybe, Sue, you can tell me
3 when or you can tell when we had the document available
4 in the library?

5 MS. ZILIAK: The document has not been available in
6 the library very long.

7 MR. DE BIE: Our recollection is we have got it in
8 different places into February, but I'd like to clarify
9 that we're in the middle of the process. There isn't
10 going to be any recommendation or a decision on this
11 application until June, so there's lots of time for the
12 public to review and there will be other opportunities
13 for people to bring their observations forward. This is
14 just one of the very first beginning the process, so --

15 MS. ZILIAK: Is June the staff meeting, the working
16 group meeting you're going to have prior to the Board
17 meeting, or is that the Board meeting?

18 MR. DE BIE: That's the committee meeting, which
19 will be scheduled down here June 12th.

20 MS. ZILIAK: So the committee meeting would be June
21 12th?

22 MR. DE BIE: June 12th, and so you have from, you
23 know, before this meeting on through that to continue
24 reviewing that and to provide your comments. Certainly
25 at that point or at any time, you can provide comments.

1 So there is some time here. This is --

2 MS. ZILIAK: You have to realize that this is like a
3 full-time job for somebody to review. The idea that
4 there has only been a few of us that have even seen the
5 document is very difficult for the public to take. I
6 think that it does the community a big disservice by,
7 first of all, the way that this has been done.

8 I realize that the State has been unhappy about
9 the way that the LEA has -- the local LEAs work, and I've
10 heard that when I've been in Sacramento. However, I
11 really don't think that our issue here was the case for
12 you to begin your whole tactic of taking away some of
13 that local control in that process. I think that you're
14 wanting to do that, and you should not do that with a
15 Landfill that isn't begun, not that I want another
16 Landfill anywhere, but I think that maybe coming in --
17 and especially at a time when both the City and County
18 have agreed to that five-year term, we would appreciate
19 your Board rethinking that, and I'll submit some written
20 comments. I have more comments here in writing.

21 MR. SUMMERS: Okay. My name is Jim Summers.
22 I'm the president of the Granada Hills South Neighborhood
23 Council. I'd like to thank the Board for listening to us
24 today. Speaking as the Neighborhood Council President
25 and representing 30,000 people to the south, I am

1 requesting that you keep Granada Hills South informed
2 because Granada Hills is really one community, and we
3 have always stood by them in the north. So I signed in,
4 and if you could do that to keep us informed in the
5 future for the dates, we would appreciate it, because
6 Granada Hills is really one community.

7 I've been living in Granada Hills for over 45
8 years. I consider it my home. I know a lot of the
9 people who live up here, and I just think it's a travesty
10 that something like this can happen. It just seems like
11 they can get there one way at the level, so they're going
12 to the State level, and that just doesn't seem right. So
13 we're going to put it on our Board agenda to contact both
14 BFI and the North Valley Coalition and come up with a
15 decision that we could turn in to you, and hopefully
16 you'll look at it by June.

17 On a personal level, many of us find it hard to
18 believe that BFI is running out of space and that's why
19 we've now applied for a permit for a combined City/County
20 Landfill and we just find that hard to believe. From
21 what I understand, the City gave them 55 million tons on
22 the cityside within Cells A, B, and C. So what do they
23 do? They stockpile everything in Cell C so that they
24 can't use it, and then claim that they're concerned about
25 moving it because of the dust that might harm us.

1 They've already cost us, and they don't seem to
2 be too concerned about stopping it now. For instance,
3 like, shutting down as soon as it gets windy or doing
4 something about putting trees or grass on the bare
5 slopes. You and I both know the reasons for their
6 application, and it comes down to it would cost them
7 money to move the dirt.

8 So let's see, if they cause the problem by
9 storing the soil in the wrong place when they knew that
10 they would have to go into the area next, and if the only
11 reason that they don't want to move it is money, then the
12 only question left here, and what we have for you, is why
13 is the California Integrated Waste Management Board
14 pandering to them now? All right. Thank you very much.

15 MS. MARKIE: Thank you. Next up is Harvey Abram,
16 and then after that, Kim Thompson.

17 MR. ABRAM: Dear California Integrated Waste
18 Management Board: First of all, thank you for the
19 notice. I received an e-mail about this meeting tonight.
20 In the past, notice has usually been a problem, so
21 whoever put out that e-mail, whether it was the North
22 Valley Coalition or yourselves, I'm glad that this time I
23 didn't find out about it at the last minute like many
24 people did.

25 I'm a teacher here at Van Gogh Elementary

1 School; this is my school. I don't live in Granada
2 Hills, but I feel that I do because like many of my staff
3 members, I come here at 6:30 in the morning and sometimes
4 don't leave until after 6:00 at night. It's nothing
5 unusual. We have a very dedicated staff, not just
6 teachers. Here, this school is located less than one
7 mile south of the Landfill.

8 Many years ago, I was invited to take my
9 students on a field trip bus that was provided by BFI to
10 visit the Landfill, and we all got on the bus and took
11 the tour, and when we were inside, we watched how they
12 were spraying the disinfectants on top of the trash and
13 burying it, and it was amazing. It was fascinating for
14 an eight-year-old to be there, and they actually let us
15 go outside of the bus and see the process of disposing
16 and covering up all the waste.

17 After that field trip, after we disembarked the
18 bus, we went into one of the temporary offices and
19 bungalows, and they showed us a small model and diagram,
20 and they told us a promise. They said, "This is what the
21 Landfill is going to look like after it's closed, after
22 it's covered up." It was beautiful -- seriously --
23 beautiful grass, little plastic deer and bunnies, and it
24 was just a place where, you know, we saw that mountains
25 and mountains of trash would be covered with this

1 beautiful grass, with beautiful animals, little plastic
2 bunnies.

3 Anyway, they told us that would be just a few
4 years away, and, you know, that would be when Sunshine
5 Canyon was eventually closed. That field trip and that
6 broken promise occurred in 1989. I've been teaching at
7 Van Gogh. I'm part of this community, and I've seen many
8 of you at these microphones over the years. Since then,
9 our students here at Van Gogh have won prizes from the
10 city council and mayor's office because we did such a
11 great job of recycling aluminum and plastic bags. We
12 have a room over in the computer lab full of those
13 plastic bags. We get money -- we actually raise money by
14 having rooms full of plastic bags.

15 Unfortunately, I have personally suffered, as
16 many of the residents, with personal breathing problems.
17 When I'm outdoors with the students for physical
18 education or other staff members, we have respiratory
19 problems, choking, asthma, wheezing, shortness of breath,
20 and stinging and burning eyes when teaching physical
21 education class outdoors.

22 We also have an unusually large number of
23 cancer-related deaths, which I'm certain have been caused
24 by the proximity to the diesel trash trucks spewing
25 exhaust into our atmosphere as well as the toxins buried

1 and the toxic particulates wind-blown, swept, and carried
2 by birds over to our school. There's actually a
3 measurement instrument right over by the YMCA that
4 inspects and measures the air quality, but no one has
5 access to the data. I've gone in and met with the
6 gentleman who measures it, who says, "I'm sorry. I
7 cannot release any of this information." It's provided
8 strictly for -- and I don't know if it's for the city
9 council or for the mayor's office, but somebody is
10 privately paying to measure the data as recorded from its
11 aeromometer.

12 Having spoken with the United Teachers of Los
13 Angeles, UTLA, workers' compensation attorneys, I
14 understand how very difficult it is to prove a direct
15 cause-and-effect relationship to these incidences that
16 are truly suffering fatalities. However, there was a
17 study conducted by a comparable geographic area, known as
18 a control area, located in Chatsworth near the Santa
19 Susana Radioactive Disposal, the Rocketdyne test area,
20 and the conclusion was that the incidences of cancer was
21 not significantly higher in Granada Hills than in west
22 Chatsworth, which does not help the victims feel any
23 better when they're using the same radioactive dirt that
24 is disposed here at the Landfill.

25 I just feel that as a teacher, the students'

1 instructional time is so diminished because many kids
2 from my class are always coming to run and get their
3 inhaler. When we go on a field trip, instead of having
4 to take just a first-aid kit, I have to take inhalers and
5 medicine and cough drops for each student, labeled,
6 because everybody has a breathing problem and you never
7 know when you're going be out on a bus or field trip.
8 It's impacting the educational program.

9 Over the past 20 years I've spoken into this
10 microphone over the existence and the expansion and now
11 the consolidation of this Landfill, and as the union
12 representative here at this school, I've gathered
13 petitions signed by 100 percent of the teaching staff
14 members of UTLA who have joined with the LAUSD School
15 District here opposing many issues of this Landfill
16 affecting the health and safety of our students, staff,
17 and surrounding members of the neighborhood, and as the
18 UTLA Chapter Chair at Van Gogh Elementary School, I just
19 want to go on the official record in opposition of any
20 attempt by Sunshine Canyon to consolidate two Landfills
21 into one. In fact, we still believe that this Landfill
22 needs to be closed as soon as possible before any more
23 people die.

24 This was written in fond and loving memory of
25 the following Van Gogh school teachers and staff members

1 who have passed away due to the diagnosis of cancer: Ken
2 Scolen, Robalina Myers, Irving Sterns, Betty Sarconi, Joy
3 Jones, Pauly Mitchell (phonetic), and it's signed by --
4 and I can fax this to you, it's my own copy -- by the
5 following staff members: Dianne Soroul, Shana Stage,
6 Ellen Atlas, Matthew Orkin, Elizabeth Parallis, Seyong
7 Lee, Kristine Serobian, Hope Waterson, Pam Flait, Karen
8 Arsenault, Anna Flores, Pam Gosline, Cindy Buchholz,
9 Jenny Cho, Karen Derenale, our assistant principal, Ernie
10 Cardihal, Lee Marie Mitts, who is the daughter of the
11 principal we were just talking about who they tried to
12 move to Reseda. She's a substitute who has just recently
13 been diagnosed with brain cancer. She's still subbing.
14 Raquel Acosta, Patricia Lauzon, Yvette Jones, Shari
15 Weinstein, Linda Hirsch, Leigh Ann Perry, Melanie Bayer,
16 Ellen Choy, Ekeia Bowen, Nancy Zweben, Justine Henry, and
17 myself. So our feeling is that we would like to see this
18 shut down immediately or as soon as possible and
19 consolidating the two. We will prevent or delay that.
20 We're opposed. Thank you very much.

21 MS. MARKIE: We want to give the court reporter a
22 break. We'll take five minutes. Thank you.

23 (Recess.)

24 MS. MARKIE: Okay, everybody. We're going to wrap
25 things up.

1 MR. DE BIE: If you could find your seats, that
2 would be great. We have a three or so more speakers, so
3 we'll get started really soon.

4 MR. BLEDSOE: We have just have a few more speakers.
5 Thank you very much.

6 MS. MARKIE: All right. Thanks everyone. Thank you
7 for sitting back down. Kim Thompson, thank you for
8 waiting. I appreciate it.

9 MS. THOMPSON: Good evening. Thank you for coming
10 to Granada Hills. I am Kim Thompson, and although I am
11 the former vice president of the North Valley Coalition
12 and the former Chair of the Granada Hills North
13 Neighborhood Council, tonight I am just speaking on
14 behalf of all the residents.

15 We would like to ask for one thing, that all
16 meetings that you have regarding Sunshine Canyon be held
17 in Los Angeles. We have another request. We'd like for
18 you to place the Joint Technical Document on the web and
19 to extend the time for residents to submit comments
20 beyond the time that your staff mentioned.

21 One thing I wanted to say -- everything I wanted
22 to say has been covered, but this record is a hodgepodge
23 of various amended documents including the already
24 amended Joint Technical Document, which will further be
25 amended by the Regional Water Quality Control Board's

1 comments. So we believe that a new EIR should be
2 prepared for a combined City and County Landfill.

3 Lastly, I have a really serious question, from
4 listening to all my residents: Why does this community
5 feel that the old Landfill has not been closed as of
6 today? In 2000, when the North Valley Coalition
7 initiated the audit, the State audit, by the California
8 Integrated Waste Management Board, the audit, that showed
9 that they were not enforcing the rules. Sunshine Canyon
10 was supposed to be closed in 1991. It's now 2008. Why
11 should they get a permit for a combined Landfill when the
12 old City Landfill isn't closed today? Thank you.

13 MS. MARKIE: Thank you. We have two speakers left,
14 and that would be Becky Bendikson and Dave Parikh.

15 MS. BENDIKSON: Good evening. My name is Becky
16 Bendikson. I'm a seventeen-and-a-half-year resident in
17 north Granada Hills. We who live here have know the
18 impact of having five freeways in our neighborhood, winds
19 that reach hurricane speed -- and I'm not exaggerating --
20 dust and diesel spewing forth day and night. We have a
21 history of problems with the Landfill and are the experts
22 of what is needed for the people who live in their
23 shadow.

24 You have a City and County ready, willing, and
25 able to handle the task. Let's not waste precious

1 taxpayer money from the State, the County, and the City,
2 which all comes out of our pockets, doesn't it, on
3 lawsuits and retraining of the State staff as to the
4 peculiarities of these Landfills.

5 You've probably already heard enough tonight
6 about the issues that have been presented by the persons
7 who spoke before I did. It costs more than enough to
8 fill our gas tanks for local travel. Airplane trips will
9 be prohibited to attend meetings in Sacramento. We
10 deserve better than that. Please keep the oversight in
11 our local community, Granada Hills. Thank you.

12 MS. MARKIE: Is Dave still here? Is Dave Parikh,
13 P-a-r-i-k-h, here? Thanks.

14 MR. PARIKH: Good evening. I am Dave Parikh, and
15 there are so many people who have already talked about
16 pollution, talked traffic, and all kinds of things. I
17 have been living here for 25 years. I have not kept up
18 with the details, but I have kept up with what's going
19 on, and I don't like it at all.

20 As most people have said, this dump started as
21 an illegal dump to begin with. It should not have been
22 allowed to operate just on the fact that it was illegally
23 started. It should have been shut down from day one. If
24 I do something illegal, I'll get in trouble right away.
25 If I'm driving and I stop at the stop sign not properly,

1 I get a ticket right away; and here is this big going on
2 and on forever, after time, doing this illegally. I
3 think that's wrong.

4 There are so many people outside of this -- this
5 microphone is too loud, or I'm too loud. There are so
6 many people outside of this area that would say this is a
7 local problem because they think, okay, if
8 the -- (inaudible) -- in this rich neighborhood, that's
9 okay. That's okay for the rich people. I have a problem
10 with both of these things.

11 First of all, this is not necessarily a rich
12 community. This is a working-class people community, and
13 a lot of people work hard to live here. The second part
14 I have a problem with is it is not a problem only in
15 Granada Hills. I want to draw attention to a couple of
16 facts. Does anybody know that California has lots of
17 earthquakes? I presume everybody knows that. We live in
18 an earthquake area. The Sunshine Canyon Landfill is
19 located within one-fourth of a mile from the filtered
20 water that supplies the entire city of Los Angeles. If
21 any of you have not Googled it, I recommend you go on
22 Google and find out how close it is.

23 In the event there is a major earthquake
24 happening, I know that never happens in California, but
25 if it happens, there is a chance of contamination of this

1 water supply that supplies everyone all the way from Long
2 Beach and Harbor City and everywhere else because the
3 metropolitan water district supplies everywhere.

4 Do any of you gentlemen live in this local area,
5 or are you all from Sacramento?

6 MR. BLEDSOE: Sacramento.

7 MR. PARIKH: Okay. So you probably will not be
8 drinking this water, but we'd like to ship it to you if
9 that happens. If that happens, and you're all laughing,
10 but since earthquake is a real possibility, the distance
11 of one-fourth mile -- is anybody disputing me on that
12 number? Is there anyone who says it's more than
13 one-fourth of a mile? We are so close. Now tell me if
14 this is a local problem of Granada Hills, or is it a
15 problem for the entire city?

16 If the water does get contaminated either by
17 earthquake or any other means, we are shut down
18 completely. The city of Los Angeles will cease to exist
19 the way we know it. I think I can probably use bottled
20 water at that time, but by now, we know some of this
21 water comes from the City, also, so even bottled water.

22 Even though I'm trying to be a little bit
23 humorous, I do want you to think about this. Go back to
24 your offices, look it up, and see how close it is in
25 reality. It is basically a (inaudible) from Sunshine

1 Canyon, and this is not just any amounts of water. It is
2 filtered water. After that, there is no further
3 processing happening. I urge you to try to shut down, if
4 nothing else, try not to give this (inaudible) right now.
5 I thank you very much.

6 MS. MARKIE: Okay. It looks like another speaker
7 slip is coming on down. Cherie Mann.

8 MS. MANN: I'm Cherie Mann. I'm a resident, and I
9 have to appeal to the environmental issues. BFI has
10 disturbed an entire ecosystem. A woodland, a wetland,
11 and a wildlife corridor. We cannot live without water.
12 They have destroyed a wetland, which never, I thought,
13 was allowed, but apparently the Army Corps engineers and
14 BFI have taken it incrementally so that in the end you
15 have destroyed an entire wetland.

16 They took 3,000 oak trees which is not even
17 allowed in California, to cut down an oak tree. I think
18 they only paid 600 a tree, and they waited until spring
19 so the birds could lay their eggs. So then they cut down
20 the trees, and when the birds came back the next year,
21 which was fine apparently, that the mitigation -- they
22 have to now go to Chatsworth reservoir.

23 How do we know by destroying an entire ecosystem
24 that we're not contributing to climate change? I mean, I
25 don't know enough. I could be way wrong, but how do I

1 know? Every month I sense that in the corner of the
2 world, we've created imbalance. So I don't believe in
3 the dump, but we have to put our trash somewhere,
4 according to the City, it will be closed 2010 because
5 we're going to have alternatives. I don't know where the
6 truth lies, but that's my piece. Thank you.

7 MS. MARKIE: Thank you. Is there anybody else who
8 would like to comment tonight? Okay. What we'll do is
9 we'll get the transcripts and we'll put the question and
10 comments down and we'll have a response to them and we'll
11 put it on the web site. So, again, if you're not
12 receiving e-mails and you didn't get something in the
13 mail, please make sure you sign up and we'll add you to
14 the list.

15 Right now we still do have the June 12th meeting
16 scheduled down here at the San Fernando City Council
17 Chambers, and we welcome your comments that will continue
18 from now until then. We'll try to answer your questions
19 and concerns to the best of our ability. I appreciate
20 you coming out. I know how hard it is after a long day
21 of work to come out to these meetings, so thank you. My
22 contact information, again, is on the agenda. Thank you
23 very much.

24 (Hearing concluded at 8:32 p.m.)

25